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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Donald W. Wooten, et al.)
Serial No.: Not Yet Assigned)
Filed: Herewith)
For: STORAGE RACK FOR A)
VEHICLE) **Atty. Dkt. No. 4264.030**

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INFORMATION DISCLOSURE STATEMENT

**List of Sections Forming Part of This
Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

1. ☒ Preliminary Statements
2. ☐ Form PTO-1449 (Modified)
3. ☒ Statement as to Information Not Found in Patents or Publications
4. ☐ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. ☐ Cumulative Patents or Publications
6. ☐ Copies of Listed Information Items Accompanying this Statement

- 7. ☐ Concise Explanation of Non-English Language Listed Information Items
 - 7A. ☐ EPO Search Report
 - 7B. ☐ English Language Version
- 8. ☐ Translation(s) of Non-English Language Documents
- 9. ☐ Concise Explanation of English Language Listed Information Items (Optional)
- 10. ☒ Identification of Person(s) Making this Information Disclosure Statement

Section 1. Preliminary Statements

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Section 2. Form PTO-1449 (Modified)

☐ A Completed Form PTO-1449 (Modified) is attached hereto.

Section 3. Statement as to Information Not Found in Patents or Publications (Information Not Listed in Form PTO-1449(Modified))

Utility vehicles used by the military, such as High Mobility Multi-Purpose Wheeled Vehicles (HMMWV), also known as humvees, have long been used by

the military to traverse jungles, deserts, mountains and other terrains. The tires on HMMWVs are known as "run-flat" tires which are capable of running for 30-40 miles after such tires have been punctured. For this reason, the HMMWV has not been provided with a spare tire in military use. However, in Iraq, HMMWVs are more susceptible to having flat tires while crossing the rough, uneven surfaces of these various terrains. On numerous missions, the HMMWV has, in the past, been forced to return to the base to change a tire.

Several configurations exist for the HMMWV. Most of the designs transport items and soldiers in the rear part of the HMMWV. The tailgate of the HMMWV can be lowered to a useful angle in order to easily access items stored in the rear. A storage rack has been designed by others for carrying a spare tire on the HMMWV. This storage rack connects to the tailgate, but prevents the lowering of the tailgate. This storage rack hinders the use of the tailgate and prevents easy accessibility to items stored in the rear part of the HMMWV.

Military equipment is typically heavy and cumbersome. Equipment, such as tires for the HMMWV, should be able to be used by the range of male and female soldiers from the 5th percentile to the 95th percentile in size and strength. For example, a female soldier ranked in the 5th percentile is able to lift approximately 44 pounds without potential injury. A tire suited for a HMMWV typically weighs approximately 165 pounds. Therefore, a female soldier ranking in the 5th percentile would most likely be unable to lift a tire suited for a HMMWV in the event of a flat tire or emergency. Further, a storage unit suited for a HMMWV should be strong enough to support approximately 3-4 g's of weight of an approximately 165 pound tire unit. Therefore, the storage unit should be able to withstand up to a 900 pound shock.

Because of the treacherous, uncertain, lengthy missions in which military personnel are assigned, the lack of storage space design on a humvee, the need for use of the tailgate, and the need of such a vehicle to transport heavy items, such as tires, without military personnel being injured, a need exists for an apparatus capable of storing and transporting items such as spare tires, gasoline, water, personal equipment, ammunition and other items typically used by the military and capable of allowing soldiers in the bottom percentiles of size and strength to stow and deploy these heavy items onto and off of the vehicle. It is to such an apparatus that allows for the loading, transportation, storage and unloading of items, such as spare tires, which the present invention is directed.

Section 4. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. _____, filed on _____ (date).

(complete the following, if applicable)

☐ This application also relies, under 35 U.S.C. 120, on the earlier filing date of prior application Serial No. _____, filed on _____ (date).

The following references were submitted to, and/or cited by, the Office in the prior application(s) and therefore, are not required to be provided in this application:

Section 5. Cumulative Patents or Publications

STATEMENT

_____ is cumulative of the following patents or publications listed on Form PTO-1449:

In accordance with 37 C.F.R. § 1.98(c), a copy of only ____ is being submitted with this Information Disclosure Statement.

Section 6. Copies of Listed Information Items Accompanying this Statement

Legible copies of all items listed in Form PTO-1449 (Modified) accompany this information disclosure statement.

☐ Exception(s) to above:

- ☐ Items in prior application from which an earlier filing date is claimed for this application, as identified in Section 4.
- ☐ Cumulative patents or publications identified in Section 5.

Section 7. Concise Explanation of Non-English Language Listed Information Items

Section 7A. Concise Explanation of Non-English Language Listed Information Items - EPO Search Report

The relevance with respect to the following citations listed on Form PTO-1449:

is submitted on the basis of accompanying:

(check the appropriate item)

- ☐ EPO search report that is in the English language,
- ☐ EPO search report that is not in the English language and that is accompanied also by an English language version of the EPO search report,

that issued on the corresponding European patent application.

Section 7B. Concise Explanation of Non-English Language Listed Information Items - English Language Version of EPO Search Report

Section 8. Translation(s) of Non-English Language Documents

- ☐ Submitted herewith is an English translation of the following foreign language patents, publications or information or of those portions

of those patents, publications or information considered to be material:

(complete the following, if applicable)

- ☐ No English language translations of the foreign language parents, publications or information or parts thereof are readily available, except for those listed above.
- ☐ The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith.

Section 9. Concise Explanation of English Language Listed Information Items (OPTIONAL)

Section 10. Identification of Person(s) Making this INFORMATION DISCLOSURE STATEMENT

The person making this statement is the attorney who signs below on the basis of the information:

- ☐ supplied by the inventor(s)
- ☐ supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)).

[X] in the attorney's file

Respectfully submitted,

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